

**PLANNING BOARD MEETING MINUTES
TUESDAY, JULY 17, 2007**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Mike Hurley
Paul Fontaine, Jr.
Nancy Maynard
Elizabeth Slattery

PLANNING OFFICE: David Streb, Mike O'Hara

Call to Order

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Mr. Streb passed out map of wind speeds > 6 mph near the water treatment plant on Rindge Rd. Given the positive response at the wind informational meeting July 11, he'll pursue a possible wind energy site there with the state.

0 First Street, Montachusett Enterprise Commission

Glenn Eaton, M.E.C. there to present slight change in location of single-family on Lot 2 to get it further away from steep slope to rear. House & driveway to be moved about 24 feet to the left. Staff requested the front stairs be moved to side of landing. They'll keep. min. 15-foot side setback on left. Staff has made determination that it's a minor modification, not needing further approval. Planning Board agreed.

Mr. DiPasquale asked if the Planning Board should require irrigations systems on new projects.

Board requested staff to send a letter to Enterprise Rental Car, 70 Water St. regarding the appearance of their overgrown landscaping, as was done a couple years ago.

Board requested staff to send a letter to Dr. Yu re: former Crescent Building site on Blossom Street. He should remove or relocate construction debris and regrade the site and repair the wall, or in lieu of this, start up again.

Meeting Minutes

Motion made & seconded to approve minutes of the June 19th meeting.
Vote unanimous to approve.

ANR plans

The Board reviewed and endorsed the following "ANR" plan:

Coffin, Oak Hill Lane

.2 acre of former B&M right of way sold to abutter on either side. Will be annexed with adjoining land to make a single tract of land.

MINOR SITE PLAN REVIEW

293 Bemis Road, Beaudoin, plumbing/beauty shop/office

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: continued to 8-21-07

Al Paquette present, owner Keith Beaudoin could not make it.
Fire and Water Departments have no issues. Engineering had a question about the lot entrance off Bemis Road. The existing curb cut is uncomfortably close to the porch.

Mr. Paquette said he wants to move it and add another. Decorative stone and arborvitae would be placed along the edge of the package store. All new paving with no berm. Said that the runoff will shed onto perimeter of site.

Ms. Caron explained that the Board typically likes to see a landscaping plan and drainage plan. Applicant said he'd install a fence around the dumpster and will supply more info.
Continued to August 21 meeting.

PUBLIC HEARINGS

Special Permit modification - Lifestyle Builders, "Westminster Hill Village" condominiums *(continued from 6-19-07)*

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Slattery (5)

Action: continued to 8-21-07

(Ms. Maynard & Mr. Hurley not at previous session -- not eligible to vote.)

Mark Biller said they just received a response from the Water Department and haven't had a chance to address their concerns.

Board voted to continue hearing to August 21 meeting.

Site Plan Review - Wachusett Development, 41 Sheldon St., building trade shops *(postponed from 6-19-07)*

Voting members present: Caron, DiPasquale, DiPietro, Hurley, Maynard, Slattery (6), Paul Fontaine recused himself.

Action: continued to 8-21-07

Patrick McCarty presented revised site plan. He showed four different renderings of possible building appearance. They added trees along the edge of West Street. Applicant said that when the city has more definitive plans for a trail, they may be willing to consider a trail.

Mr. Hurley asked about the appearance of the river side. Mr. McCarty said that the vegetation will be untouched, so the buildings will be hidden.

Mr. DiPasquale said he wants to see a plan that shows what buildings are going to look like.

Ms. Maynard said we need to be more concerned about the appearance and that trail is important.

Ms. Caron said that she would like to see an easement put in place for a trail.

David Streb pointed out that a trail and site development will make the homeless leave.

Mr. McCarty said that the owner does not want to include the trail. (Owners not present.) This is a by-right project, not by special permit.

Councilor Joel Kaddy said that there is no plan in place for trail, and that a handicapped ramp has been built on the opposite side of the river, so the trail should be put there.

Abutter Liz Stathis, 78 West St. questioned is there a buffer?

Mr. McCarty said there is a 30 foot buffer off West Street, a 95 foot buffer from Sheldon Street, and a 35 foot buffer from the river. Street trees along Sheldon and West Streets, placed every 30 feet.

Ms. Stathis stated the neighborhood would rather see a residential project.

Mr. DiPasquale said that he wants the back of the building to be attractive.

Jay Bearfield, Chestnut St. stated he thinks it'd be nice to have a trail and run a fence along where the trail would be.

Mr. McCarty reiterated that this is a by-right project, and they are not comfortable with a trail.

Ms. Maynard proposed continuing the meeting to August. He would like to see the appearance of the buildings and ask the owner about the trail.

Mr. DiPietro would like to see the appearance from the Sheldon Street approach also.

Board requested that Staff send a letter to the owners, requesting their presence at the August meeting.

Motion made & seconded to continued to August 21 meeting.

Board voted 6-0 to continue.

Special Permit - Fitchburg Red Brick River Mill, Inc., 1146 Main St., mill conversion

(cont'd from 6-19-07)

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Slattery (5)

Action: continued to 8-21-07

Yvon Robichaud, Jr. & Atty. John Bowen presented letter dated July 17, 2007 to withdraw the Residential component, so there is no Mill Conversion, but a Minor Site Plan Review.

Ms. Caron stated the site now has one principal use (self-storage), so an additional use would need Mill Overlay Special Permit.

Atty. Bowen spoke with Building Commissioner Michael Gallant today and essentially he agreed with Atty. Bowen, no Special Permit needed, but no determination made in writing.

Ms. Caron asked how they should proceed.

Mr. Fontaine stated he felt they can't proceed until they hear from Mr. Gallant.

Mr. DiPasquale asked what would be the hours of operation.

Atty. Bowen stated it would not be 24 hours, would close at 2:00 a.m. after bars close, but he also stated this is outside of Site Plan Review.

The Planning Board disagrees, they can control hours in Site Plan Review.

Public Comment:

Mark Gilbert – could different hours be approved? He likes to have the convenience of stores being open late.

Jay Bearfield, 9 Chestnut St. - doesn't think issues have been adequately addressed.

What if a Variety Store gets foot in door? Impact on neighborhood from previous store was large.

Having a store open late is a magnet for problems.

Gloria Spadaro, Arlington St. – work has been done without building permits. Store is ready to open. You can't have designated parking spaces on public street for store's use. Variety store was an inconvenience to the neighborhood.

Rebuttal: Yvon Robichaud. He proposed parking on the street because he didn't want to park on the riverfront, but if he has to, he will. He stated that there are problems in the neighborhood that aren't the fault of the Variety Store.

Ms. Caron asked what would he do differently?

Yvon Robichaud stated he will add products. A Variety Store is a needed use. He grew up in that neighborhood.

Atty. Bowen stated just because the Board allows the Variety Store, other uses will still require approval. Also, he eliminated the on-street parking and added spaces across the street. He also requests not to have to pave over the stone dust on the adjacent lot. Mr. Robichaud is not selling any illegal products.

Motion made & seconded to continued to August meeting.
Board voted 7-0 to continue.

Special Permit - McSweeney/Delay, Oakland St. & Linwood St., 5-unit PUD

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: continued to 8-21-07

Mr. McSweeney is proposing four single-family dwellings on Oakland Street and one on Linwood Street. They had the sewer line scoped. Also, had the gas line checked by Unitil. They also confirmed with the Conservation Commission that there were no wetlands subject to the jurisdiction of the Conservation Commission. They are proposing 24'x 32' homes, similar to Edgewater's houses near Rollstone, but larger.

Mr. Fontaine wanted to know why the E-1 pump connector was in the public way.
Mr. McSweeney wants to see it on his property so condo association will be responsible for it. He said he would check with Engineering.

It was stated that Oakland Street will be extended and extended portion widened to 28 feet.

Ms. Caron asked if he'd consider paving Oakland Street from the project site to Lunenburg Street.

Public Comment:

Greg LeBlanc, 5 Linwood Street. He thought Linwood would be paved and sidewalks put in. Also he would like the landscaping the applicant talked about be put on paper.

Mr. Fontaine said he had mentioned before that Linwood Street should be paved.

Mr. McSweeney stated that Linwood Street is owned by Dufour and he would have to grant approval of improvements.

The Board would like to see a landscaping plan and also paving.

Greg LeBlanc asked if there could be a street light installed for safety purposes.

Nancy Paajanen, 36 Oakland St. - is concerned about the congestion issue. She has trouble turning left on Lunenburg St. She would like to see a traffic light there. She says there is a wetland at end of Oakland St. but it was filled. She was told that it is a Conservation Commission issue.

Also, Patricia L'Ecuyer, Redman Place, needs to have access to Oakland Street.

Mr. McSweeney stated that she will have improved access. He will clarify the layout of the houses and show landscaping.

Motion made & seconded to continued to August 21 meeting.
Board voted 7-0 to continue.

Special Permit - American Legion Post 429, Beech St. & Daniels St., 18-unit PUD

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Maynard, Slattery (6)

Action: continued to 8-21-07

Mr. Hurley stated since he was a Legion member, he would recuse himself and left the room.

Pat McCarty, P.E. & Post Commander, Harold Brown present.

Pat McCarty presented and explained how they need to install sprinklers in the Legion Post. They are proposing a project to pay for this. They are proposing a P.U.D. Condo Project. Sewer & drainage connection via Napoleon Street.

A letter from Atty. Lavers of Erb & Erb relative to an adverse possession action by Boudreau's on Pratt Street was read into the record.

Mr. DiPasquale asked if this was taking some of their property? Atty. Lavers stated yes, just a piece.

Mr. Fontaine thinks project just too dense. Ms. Paula Caron agreed.

Steven Clark had question of ownership of Legion Street. Mr. McCarty said it's owned by American Legion.

Tony Mitola, 258 Beech Street, stated he is concerned about the impact to the flow of traffic. Very concerned about traffic mishaps on Beech Street.

Sheila Page, 267 Beech St. - Rubbish trucks have to back into the road because it is so narrow.

The Board wants a log of fire calls on Beech Street.

Dan McCarty explained that he doesn't like to meet ahead of time with abutters, but rather have all comments and information before the Board.

Concerns raised by Board about density. They want to see pictures of the proposed buildings. Ms. Caron asked that they stripe parking on "Napoleon Street" which is used as parking for adjacent dwellings.

Motion made & seconded to continued to August meeting.

Board voted 6-0 to continue.

Site Plan Review - DiNinno, 931 South St. (corner Wanoosnoc Rd.) new 6,900 office/medical building

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: continued to 8-21-07

Chris Deloge of Whitman & Bingham presented. Proposing to tear down the existing house and build a new medical and dental office.

John Beauchesne, 30 Olin Drive is concerned about noise pollution from vegetation removal. Feen's Country Living next door took out trees and it made it louder. Asked if they could keep the trees as a buffer.

John Cordio, 360 Wanoosnoc Rd. (directly abuts property) stated the new building will block out a lot of noise. He feels the building will be a welcome addition.

Mike Cocomile, 29 Olin Drive lives behind Feen's and the art store. He noticed a significant increase in noise. He is concerned about additional noise when the project goes in.

Councilor Jody Joseph wanted to reiterate the visibility problem at the intersection.

Dr. Elizabeth McLaughlin, 881 South St. stated the difficulty of seeing on the right-hand side when exiting site.

Motion made & seconded to continued to August 21 meeting.
Board voted 7-0 to continue.

OTHER BUSINESS

Bovenzi, Inc. - concept plan - Oak Ridge & Chamberlain Hill expansion, off Franklin Rd.
Due to late hour, Jim Moriarty of Bovenzi, Inc. asked that this be bumped to August Meeting.

Gonzalez, 356 Broad St. mill conversion - clarification
Richard Gonzales asked for clarification. His mill conversion Special Permit listed "auto showroom", but Building Commissioner wanted Planning Board to review.
Board agreed to send memo to Building Commissioner stating that they felt "auto showroom" included auto sales, and that they had no objection to auto sales at this location.

Saxon Partners concept plan, Bingham property, Pearl Hill Road
Gary Darman & Don Smith of Saxon Partners & their engineer present.
Gary Darman presented a concept plan and packet to discuss creating manufactured homes, restricted to over 55, on 250 acre site between Pearl Hill Road and New West Townsend Road. Primary access via "Kendall Road" off Pearl Hill Road. Similar to "Oak Point" in Middleboro - 1,150 units when built out.

Mr. Fontaine stated that 500 units was too many and open space has to be larger. As proposed it is 3 ½ miles of impervious roadways.

Mr. Darman suggested the Board take a trip to Middleboro project, located on 250 acres. They would arrange a bus to take them.

Mr. Darman: The engine that drives the amenities in the development is the number of units. Each unit is 1,800 - 2,100 square feet, selling in Middleboro for \$225,000. All units are ranches with no basement and one or two car garages.

The Board expressed major concerns about density.

Meeting adjourned 10:30 p.m.

Next meeting: August 21, 2007

approved August 21, 2007